

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA,) CASE NO. 3:13CR00003-1
)
)
v.)
)
JOHNNIE EDWARD BANKS, JR.,)
)
)
Defendant.)
)
)
)
)

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED** without prejudice, and the clerk will **STRIKE** the action from the active docket of the court. Based upon my finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 14th day of May, 2015.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE